

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York ☒

MCC Non Ferrous Trading Inc.

Plaintiff

v.

AGCS Marine Insurance Company

Defendant

14 CV 8302

Civil Action No.

SUMMONS IN A CIVIL ACTION

JUDGE GARDEPHE

To: (Defendant's name and address) AGCS Marine Insurance Company
225 W. Washington Street
Suite 2000
Chicago, IL 60606-3484

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joshua Gold & Dennis J. Nolan
Anderson Kill, P.C.
1251 Avenue of the Americas
42nd Floor
New York, NY 10020

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Catherine L. Lapsley
Signature of Clerk or Deputy Clerk

OCT 16 2014

Date: OCT 16 2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MCC NON FERROUS TRADING INC.,

Plaintiff,

- against -

AGCS MARINE INSURANCE COMPANY,

Defendant.

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x

14-CIV-8302 (PGG)(JF)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that counsel for Defendant AGCS MARINE INSURANCE COMPANY has agreed to accept service of Plaintiff's Summons and Complaint, and, in fact, has accepted service without waiving any defenses except as to the sufficiency of service of process; and

IT IS FURTHER STIPULATED AND AGREED that Defendant AGCS MARINE INSURANCE COMPANY's time to answer, move or otherwise respond to the Complaint, except as to any objections to improper service of the Summons and Complaint, is hereby extended to and including December 9, 2014. There have been no prior extensions or requests therefor.

Dated: October 22, 2014

NICOLETTI HORNIG & SWEENEY

By: John A. V. Nicoletti

John A. V. Nicoletti (JN7174)

Nooshin Namazi (NN9449)

Kevin J.B. O'Malley (KO8532)

88 Pine Street, 7th Floor

New York, NY 10005

(212) 220-3830

jnicoletti@nicolettihornig.com;

nnamazi@nicolettihornig.com

komalley@nicolettihornig.com

Attorneys for Defendant

ANDERSON KILL P.C.

By: Joshua Gold

Joshua Gold, Esq.

Dennis J. Nolan, Esq.

1251 Avenue of the Americas

New York, NY 100200

(212) 278-1000

jgold@andersonkill.com;

dnolan@andersonkill.com

Attorneys for Plaintiff

SO ORDERED:

U.S.D.J.